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Message Text

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PAGE 01 KABUL 07002 01 OF 03 291322Z
ACTION NEA-10

INFO OCT-01 ISO-00 NEAE-00 ONY-00 SS-15 SSO-00 /026 W
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TO SECSTATE WASHDC IMMEDIATE 9782

LIMITED OFFICIAL USE SECTION 1 OF 3 KABUL 7002

E.O. 11652: NA
TAGS: SHUM, AF
SUBJECT: 1978 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES:
AFGHANISTAN

REF: STATE (A) STATE 213462; (B) STATE 24588; (C) STATE 212848

1. THIS MESSAGE TRANSMITS THE EMBASSY'S SUGGESTED LANGUAGE FOR THIS YEAR'S UNCLASSIFIED COUNTRY REPORT ON HUMAN RIGHTS PRACTICES REQUESTED IN REFTEL A. OUR SUBMISSION FOLLOWS LAST YEAR'S FORMAT (REFTEL B). BECAUSE OF THE EXTENSIVE CHANGES CAUSED BY THE REVOLUTION OF APRIL 27, MOST OF LAST YEAR'S REPORT HAS BEEN MODIFIED. .9439;34, SEVERAL OF THE SPECIFIC POINTS RAISED IN REFTEL C (E.G., REGRESSIVE TAX SYSTEMS) ARE DIFFICULT TO ADDRESS AT THIS TIME WITH CONFIDENCE, GIVEN THE REGIME'S NEWNESS, ITS PREOCCUPATION WITH INTERNAL SECURITY, AND THE PAUCITY OF HARD INFORMATION ON ITS SPECIFIC PLANS FOR ACHIEVING ITS AMBITIOUS GOALS FOR ECONOMIC AND SOCIAL REFORM.

2. BEGIN TEXT.

INTRODUCTION. AFGHANISTAN, WHICH REMAINS ONE OF THE WORLD'S LEAST DEVELOPED AND POOREST NATIONS, EXPERIENCED A VIOLENT CHANGE OF GOVERNMENT IN LATE APRIL. THE NEW, LEFTIST-ORIENTED REGIME HAS PUBLICLY ANNOUNCED A PROGRAM INVOLVING EXTENSIVE REFORMS OF THE COUNTRY'S ECONOMIC AND SOCIAL SYSTEMS WHICH, IF ACHIEVED, COULD
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PAGE 02 KABUL 07002 01 OF 03 291322Z

IN SOME WAYS HAVE A BENEFICIAL IMPACT ON THE HUMAN RIGHTS (INCLUDING ECONOMIC) OF THE INDIVIDUAL AFGHAN CITIZEN. NONETHELESS, AFGHAN SOCIETY IS STILL HIGHLY CONSERVATIVE, ISLAMIC, AND TRADITIONAL, AND SOME OF THE REGIME'S REFORMS WILL PROBABLY ENCOUNTER STIFF RESISTANCE. THE DOMESTIC POLITICAL SITUATION CONTINUES TO BE UNSTABLE
,
AND THERE ARE PERSISTANT REPORTS THAT OPPOSITION TO THE CENTRAL

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

GOVERNMENT IS ACTIVE IN THE EASTERN PROVINCES OF AFGHANISTAN. THE REGIME IS PREOCCUPIED WITH ESTABLISHING ITS OWN SECURITY, AND WITH ELIMINATING REAL OR PERCEIVED OPPOSITION GROUPS. THUS, SOME INSTANCES WILL PROBABLY CONTINUE TO OCCUR IN WHICH CERTAIN INDIVIDUALS', ESPECIALLY THOSE SUSPECTED OF WORKING FOR THE OVERTHROW OF THIS REGIME, HUMAN RIGHTS WILL BE VIOLATED.

3. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:
A. TORTURE:

WE HAVE ONLY UNCONFIRMED REPORTS REGARDING THIS REGIME'S USE OF TORTURE. HOWEVER, THE NEW NEW GOVERNMENT DOES NOT YET ENJOY WIDE POLITICAL SUPPORT, AND IT HAS REPORTEDLY ROUNDED UP MEMBERS OF SEVERAL PERCEIVED OPPOSITION GROUPS WHICH WERE OSTENSIBLY PLOTTING THE REGIME'S OVER-THROW. OTHER SUCH GROUPS MAY EXIST, AND WE WOULD NOT RULE OUT THE POSSIBILITY THAT THE AUTHORITIES, UNDER PRESSURE TO ENSURE THEIR OWN SURVIVIAL, EMPLOY PHYSICAL COERCION IN ORDER TO EXTRACT INFORMATION FROM PRISONERS REGARDING OTHER "COUNTERREVOLUTIONAY" PLOTS OR GROUPS.

B. CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT:

WE HAVE NO RELIABLE INFORMATION THAT INSTANCES OF THIS KIND HAVE OCCURRED UNDER THE NEW REGIME. ACCORDING TO GOVERNMENT OFFICIALS, MANY ELEMENTS OF THE PREVIOUS REGIME'S PENAL AND LIMITED OFFICIAL USE

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PAGE 03 KABUL 07002 01 OF 03 291322Z

CIVIL CODES HAVE BEEN RETAINED, AND ONLY THOSE JUDICIAL FEATURES WHICH WERE DEEMED "INCOMPATIBLE WITH THE PRINCIPLES OF THE REVOLUTION" HAVE BEEN ABOLISHED. PROVISIONS HAVE BEEN ANNOUNCED FOR THE ESTABLISHMNENT OF ZREVOLUTIONARY TRIBUNALS"WHICH, IF NECESSARY, WOULD DISPENSE "REVOLUTIONARY JUSTICE." SO FAR, HOWEVER, THE REGIME HAS NOT RESORTED TO THE USE OF THESE BODIES, AND THE DAY-TO-DAY ADMINISTRATION OF JUSTICE APPARENTLY DOES NOT NOW DIFFER GREATLY FROM THAT THE PUNISHMENT WAS CARRIED OUT BY FIRING SQUAD.

C. ARBITRARY ARREST OR IMPRISONMENT:

ONE OF THE NEW REGIME'S MOST PRAISEWORTHY PROGRAMS HAS BEEN TO RELEASE THOUSANDS (PERHAPS AS MANY AS 8,000 OF ORDINARY PRISONERS WHO, ACCORDING TO OFFICIAL STATEMENTS, HAD NEVER BEEN GIVEN A TRIAL. THIS PROGRAM OSTENSIBLY WAS PROMPTED BY THE NEW REGIME'S DESIRE TO ALLEVIATE THE PERCEIVED INJUSTICES OF PAST GOVERNMENTS. THE SENTENCES OF ALL REMAINING PRISONERS WERE REDUCED. ON THE OTHER HAND, A NEGATIVE PROGRAM OF THIS REVOLU-TIONARY REGIME HAS BEEN TO IMPRISON AS MANY AS 200 PERSONS, INCLDING WOMEN AND CHILDREN, BECAUSE MOST WERE RELATED TO THE FORMER ROYAL FAMILY OR REGIME. THE REGIME'S EXPLANATION FOR THIS

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Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

ACTION IS THAT IT WAS UNDERTAKEN TO ENSURE THE SAFETY OF THE
INDIVIDUALS INVOLVED. ACCORDING TO OUR INFORMATION, THESE DETAINEES,
MOST OF WHOM WERE ARRESTED SHORTLY AFTER THE REVOLUTION, REMAIN
INCARCERATED IN PUL-I-CHARKI PRISON JUST OUTSIDE KABUL IN VERY
PRIMITIVE CONDTIONS, ALTHOUGHUNCONFIRMED REPORTS CONTEND THAT SOME
PRISONERS MAY HAVE BEEN TRANSFERRED RECENTLY TO MORE COMFORTABLE
SURROUNDINGS. THE REIME'S LEADERSHIP HAS STATED PRIVATELY THAT THESE
PRISONERS WILL EVENTUALLY BE RELEASED IF PROPER ARRANGEMENTS
CAN BE MADE FOR THOSE

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PAGE 01 KABUL 07002 02 OF 03 291314Z
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LIMITED OFFICIAL USE SECTION 2 OF 3 KABUL 7002

WHO WISH TO LEAVE THE COUNTRY, BUT TALKS BETWEEN AFGHAN OFFICIALS AND
REPRESENTATIVES FROM THE INTERNATIONAL COMMITTEE OF THE RED CROSS
(THE ORGANIZATION DIRECTLY CONCERNED WITH MAKING SUCH ARRANGEMENTS)
HAVE NOT YET RESULTED IN ANY PRISONER RELEASES AND EXPATRIATION.

POLITICAL ARRESTS CONTINUE TO TAKE PLACE, BUT THESE APPEAR GENERALLY
TO INVOLVE INDIVIDUALS SUSPECTED OF PLOTTING THE FORCEABLE OVERTHROW
OF THE GOVERNMENT (A CHARGE POSSIBLY TRUE IN SOME CASES). SOME DE-
TAINEES, HOWEVER, SEEM TO HAVE ONLY A VERY TENUOUS RELATIONSHIP WITH
ANY OPPOSITION GROUP.

ALTHOUGH THE NEW REGIME NEVER RESORTED TO THE IMPOSITION OF MARTIAL
LAW, AN OVERNIGHT CURFEW WAS IN EFFECT DURING THE FIRST THREE MONTHS
OF THIS GOVERNMENT'S EXISTENCE, AND THE GOVERNMENT REPEATEDLY
ANNOUNCED THAT VIOLATORS COULD BE SHOT SUMMARILY. THE CURFEW HAS NOW
BEEN RELAXED.

D. DENIAL OF FAIR PUBLIC TRIAL:
IN GENERAL, INDIVIDUALS ACCUSED OF NON-POLITICAL CIVIL AND
CRIMINAL OFFENSES ARE BEING TRIED ACCORDING TO THE PROVISIONS IN
THE PENAL CODE OF THE PREVIOUS REGIME. THESE PROVISIONS INCLUDE A
GUARANTEE OF PUBLIC TRIAL IN CIVILIAN COURTS WITH RIGHTS TO LEGAL
COUNSEL, APPEAL, ETC. VIRTUALLY NOTHING IS KNOWN ABOUT HOW INDIVI-

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DUALS SUSPECTED OF OFFENSES RELATED TO THE REGIME'S SECURITY ARE
TREATED. THERE HAVE BEEN UNCONFIRMED REPORTS THAT SOME "TRAITORS"
HAVE BEEN EXECUTED WITHOUT TRIAL, BUT WE ARE UNABLE TO VERIFY THESE
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STORIES.

E. INVASION OF THE HOME:
DESPITE THE UNHEAVALS ENGENDERED BY THE APRIL REVOLUTION, AFGHANIS-
TAN REMAINS A VERY TRADITIONAL, CLOSED AND CONSERVATIVE MUSLIM SOCIET
Y,
AND THE PRIVACY AND SANCTITY OF THE HOME ARE GENERALLY RESPECTED BY
THE REVOLUTIONARY AUTHORITIES. NEVERTHELESS, IN THE CURRENT POLITICAL
ENVIRONMENT THERE HAVE BEEN NOT A FEW INSTANCES OF SUDDEN NIGHTTIME
ARRESTS OF INDIVIDUALS AND WHOLE FAMILIES.

4. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF SUCH
VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION:
THE PROVISION OF "FOOD, CLOTHING, AND SHELTER" TO ALL AFGHANS IS THE
STANDARD SLOGAN OF THIS REGIME, AND IS REPEATED IN MOST PUBLIC ADDRES
-
SES BY THE LEADERSHIP. MOREOVER, THE NEW REVOLUTIONARY REGIME HAS SET
AMBITIOUS GOALS FOR ITSELF (KABUL 4061), WHICH, IF ATTAINED, COULD
BRING ABOUT A GENUINE IMPROVEMENT IN THE AVERAGE AFGHAN'S STANDARD-
OF-LIVING. SUCH STATED GOALS INCLUDE, INTER ALIA: LAND REFORM; PROTEC
-
TION OF DOMESTIC INDUSTRY; IMPROVED HEALTH CARE; AND, INCREASED EDU-
CATION OPPORTUNITIES. WE BELIEVE THAT THE REGIME SINCERELY HOPES TO
ACHIEVE THESE REFORMS. THE GOVERNMENT'S PREOCCUPATION WITH ITS OWN
SECURITY, HOWEVER, HAS, TO DATE, DELAYED THE FORMULATION AND ARTICU-
LATION OF SPECIFIC, LONG-RANGE PLANS TO ACHIEVE THESE GOALS. THE
PUBLICATION OF THE REGIME'S "FIVE-YEAR PLAN", WHICH IS NOW BEING
DRAFTED BY THE GOVERNMENT, SHOULD PROVIDE INDICATIONS REGARDING HOW
THE REGIME INTENDS TO IMPLEMENT ITS REFORMS.

SEVERAL ECONOMIC STEPS HAVE HAD A GENERALLY BENEFICIAL EFFECT FOR THE
MASS OF THE POPULATION. REVOLUTIONARY COUNCIL DECREE NUMBER SIX
(KABUL A-68) REPRESENTS THE REGIME'S FIRST STEP IN ITS LAND REFORM
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PROGRAM, AND IS AIMED AT "FEUDAL LANDLORDS AND USURERS" BY REDUCING
OR ELIMINATING PEASANT DEBTS. IN ORDER TO HAVE A LASTING EFFECT,
HOWEVER, THE GOVERNMENT MUST PROVIDE THE PEASANTRY AN ALTERNATIVE
SOURCE OF CREDIT OTHER THAN THE TRADITIONAL VILLAGE MONEY-LENDER.

SHORTLY AFTER THE REVOLUTION, THE MINISTRY OF COMMERCE ISSUED SEVERAL

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

DECREES REDUCING PRICES ON A WIDE RANGE OF IMPORTED CONSUMER GOODS
AND ON SOME BASIC COMMODITIES SUCH AS WHEAT. SOME PRICES ACTUALLY
DROPPED, ALTHOUGH OTHERS REMAINED THE SAME OR INCREASED. NEVERTHELESS
,
AN EMBASSY PRICE INDEX ON A FEW SELECTED STAPLES SHOWS THAT THOSE
PRICES HAVE DROPPED APPROX FIFTEEN PERCENT SINCE THE APRIL REVOLUTION
.

CORRUPTION, ENDEMIC TO THIS SOCIETY, IS A STATED TARGET OF THIS GOVT,
AND A FEW NEWS STORIES HAVE FEATURED THE ARREST OF SOME CORRUPT
OFFICIALS. PETTY CORRUPTION PERSISTS, HOWEVER, ESPECIALLY IN
CONNECTION WITH THE ISSUANCE OF PASSPORTS AND VISAS, AND THE
PRACTICE OF OFFERING BRIBES TO ELICIT ACTION BY GOVERNMENT OFFIALS
HAS DIMINISHED ONLY SLIGHTLY, IF AT ALL.

5. RESPECT FOR CIVIL ANDPOLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND ASSEMBLY:

THE NEW GOVERNMENT, LIKE ITS PREDECESSOR, CONTROLS ALL THE MEDIA,
ALTHOUGH THIS REGIME APPEARS TO EXERT STRICTER CONTROL OVER CONTENT,
AND USES THE PRESS TO REFLECT OFFICIAL POLICY MORE THAN DID THE DAOUD
GOVERNMENT. THE LEFTIST REGIME'S LEADERSHIP INSISTS THAT IT RESPECTS
THE PRINCIPLES OF ISLAM, ALTHOUGH MANY DEVOUT AFGHANS VIEW THESE
REASSURANCES WITH SKEPTICISM AND SUSPICION. POLITICAL ASSEMBLY IS
PERMITTED ONLY IN SUPPORT OF THE GOVERNMENT, AND THIS REGIME HAS
ACTIVELY ORGANIZED DEMONSTRATIONS, PARADES, AND RALLIES TO DEMON-
STRATE THE PEOPLES' ALLEGED SUPPORT FOR ITS POLICIES. LABOR ORGANIZA-
TIONS, WHICH DID NOT EXIST UNDER THE PREVIOUS GOVERNMENT, HAVE BEEN
ESTABLISHED IN A NUMBER OF MINISTRIES AND LARGER INDUSTRIES, AND
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THESE UNIONS WILL OSTENSIBLY REPRESENT AND PROTECT THE AFGHAN WORKERS
'
INTERESTS. THE NEW REGIME'S IDEOLOGY REFLECTS A STRONG CONCERN FOR
THE STATUS OF WORKERS, AND THE CREATION OF THESE LABOR UNIONS COULD
RESULT IN IMPROVED WORKING CONDITIONS IN THE NATION'S INDUSTRIES.
ON THE OTHER HAND, MANY GOVT WORKERS HAVE "DONATED" SOME

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LIMITED OFFICIAL USE SECTION 3 OF 3 KABUL 7002

PORTION OF THEIR TIME OR WAGES TO VARIOUS PROGRAMS, SUCH AS FLOOD RELIEF OR FOR THE CAUSE OF THE REVOLUTION IN GENERAL. WE PRESUME THAT SOME OFFICIAL PRESSURE WAS APPLIED IN ORDER TO GARNER THESE DONATIONS.

FOR CENTURIES, VIRTUALLY ALL SEGMENTS OF AFGHAN SOCIETY HAVE BEEN DOMINATED BY THE PUSHTUN ETHNIC GROUP, AND OTHERS, SUCH AS HAZARAS, TAJIKS, AND UZBEKS, HAVE BEEN VICTIMS OF DIRECT AND INDIRECT DISCRIMINATION. A CENTRAL GOAL OF THE NEW REGIME'S PROGRAM, HOWEVER, IS THE ASSIMILATION OF ALL ETHNIC GROUPS INTO THE POLITICAL, SOCIAL AND ECONOMIC MAINSTREAM OF THE COUNTRY, AND TO ELIMINATE THE HISTORIC PUSHTUN HOLD ON ALL LEVERS OF POWER. TO UNDERSCORE ITS DEDICATION TO THIS PRINCIPLE, SEVERAL MEMBERS OF ETHNIC MINOTIRY GROUPS WERE APPOINTED TO THE CABINET, ALTHOUGH THE TOP POLITICAL LEADERSHIP IS STILL PUSHTUN.

THE REVOLUTIONARY REGIME HAS ALSO PLEDGED ITSELF TO ESTABLISH FULL EQUALITY FOR WOMEN, ALTHOUGH THE PREVIOUS REGIME WAS INSTRUMENTAL IN BRINGING ABOUT BASIC REFORMS IN THIS FIELD. THE AFGHANS WOMENS ORGANIZATION HAS JOINED THE COMMUNIST-FRONT INTERNATIONAL WOMEN'S ORGANIZATION, AND SENT DELE-GATIONS TO MOSCOW IN JUNE TO ATTEND A MEETING OF THAT ORGANIZATION, AND TO TRIPOLI IN AUGUST TO ATTEND A CONFERENCE OF THE ARAB WOMEN'S UNION. IN GENERAL, HOWEVER, AND ESPECIALLY
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PAGE 02 KABUL 07002 03 OF 03 291328Z

IN THE COUNTRYSIDE, WOMEN OCCUPY AN INFERIOR STATUS IN THIS TRADITIONAL ISLAMIC SOCIETY.

B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION:

RESTRICTIONS ON TRAVEL WITHIN THE COUNTRY EXIST, ESPECIALLY TO AREAS WHICH REMAIN HOSTILE TO THE NEW GOVERNMENT. PERMISSION FOR FOREIGN TRAVEL, DIFFICULT TO OBTAIN UNDER PREVIOUS GOVERNMENTS, IS BEING GRANTED BY THE NEW REGIME ONLY TO A VERY FEW PERSONS, AND EVEN

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

FOREIGN BORN WIVES OF AFGHANS (CONSIDERED BY THIS
GOVERNMENT TO BE AFGHAN CITIZENS) ARE HAVING DIFFICULTY
LEAVING THE COUNTRY. EMIGRATION IS ALSO MUCH MORE STRICTLY
CONTROLLED THAN WAS THE CASE UNDER THE FORMER GOVERNMENT.
THESE CONTROLS MAY LOOSEN ONCE THE REGIME FEELS THAT
IT HAS SUFFICIENTLY ESTABLISHED ITS SECURITY.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS:

FIRM INFORMATION REGARDING THE POLITICAL POLICY-
MAKING PROCESS REMAINS SCARCE. NEVERTHELESS, THE PEOPLE'S
DEMOCRATIC PARTY OF AFGHANISTAN (PDPA) IS CLEARLY RUNNING
THE COUNTRY, AND THE MAJOR DECISIONS ARE MADE BY THE
MEMBERS OF THE PARTY'S POLITICAL BUREAU. THE REGIME HAS
CLAIMED THAT THE PDPA HAS ABOUT 50,000 MEMBERS AND
SYMPATHIZERS(OUT OF A POPULATION OF APPROXIMATELY 13
MILLION), BUT MANY OBSERVERS BELIEVE THE ACTUAL FIGURE
IS MUCH LOWER. THE GOVERNMENT'S LEADERSHIP HAS EXPRESSED
ITS INTENTION TO EXPAND PARTICIPATION IN THE POLITICAL
PROCESS, BUT IT IS NOT YET CLEAR WHETHER A RAPID
INCREASE IN THE SIZE OF THE PDPA SHOULD BE ANTICIPATED.
AS WITH MANY OTHER COUNTRIES WHICH HAVE SIMILAR POLITICAL
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SYSTEMS, MEMBERSHIP IN THE ONLY LEGAL PARTY IS A PRE-REQUISITE FOR
EFFECTIVE POLITICAL PARTICIPATION AND PROFESSIONAL ADVANCEMENT.

THERE HAVE BEEN HINTS IN SEVERAL PUBLIC STATEMENTS
BY THE TOP LEADERSHIP THAT A NEW CONSTITUTION MAY BE
PROMULGATED EVENTUALLY, BUT NO INFORMATION REGARDING
A TIMETABLE OR THE CONTENTS OF SUCH A DOCUMENT HAS
YET BEEN REVEALED.

6. GOVERNMENT ATTITUDES AND RECORD REGARDING INTER-
NATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED
VIOLATIONS OF HUMAN RIGHTS:

TO OUR KNOWLEDGE, NO INDEPENDENT OUTSIDE BODIES HAVE
TRIED TO INVESTIGATE ALLEGED HUMAN RIGHTS VIOLATIONS BY THE
NEW REGIME. THE ICRC REPRESENTATIVE WHO CAME TO AFGHANISTAN
TO DISCUSS THE POSSIBLE RELEASE OF CERTAIN PRISONERS WAS
PERMITTED TO VISIT SOME OF THEM AT PUL-I-CHARKI PRISON,
BUT HE DID NOT ISSUE ANY PUBLIC STATEMENT REGARDING HIS
FINDINGS.
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